IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

Writ Petition No. 12612 of 2005

Between:

1. Y. Seetha Mahalakshmi, W/o. Late Subba Reddy,
   R/o. Nunna Village, Vijayawada Rural Mandal,

Krishna District.
2. Y. Venkata Reddy, S/o. Late Subba Reddy,
   R/o. Nunna Village, Vijayawada Rural Mandal,

Krishna District.
3. Y. Srinivasa Reddy, S/o. Late Subba Reddy,
   R/o. Nunna Village, Vijayawada Rural Mandal,

Krishna District.
4. Y. Malla Reddy, S/o. Late Subba Reddy,
   R/o. Nunna Village, Vijayawada Rural Mandal,

Krishna District.
5. A. Koteswaramma, W/o. Tatireddy,
   R/o. Nunna Village, Vijayawada Rural Mandal,

Krishna District.

..... PETITIONERS

AND

1. A.P. Wakf Board rep. by its CEO,

Haj Buildings, Nampally, Opp: Public Gardens,
Hyderabad.
2. Commissioner of Police, Vijayawada.
3. The Mandal Revenue Officer, Nunna,

Vijayawada Rural Mandal, Krishna District.
4. The Station House Officer, Nunna Police Station, Nunna,

Vijayawada Rural Mandal, Krishna District.
5. Syed Amirulla Hussain, S/o. Kallimulla Khan,
Govt. Khaji, Door No. 16-2-2, Lakshmanarao Street,

Poornanandam Pet, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of Mandamus declaring the action of the respondents 1 to 4 herein trying to dispossess the petitioners herein from the lands in Sy.No. 852/1 of Nunna Village in Vijayawada Rural Mandal in Krishna District in exercise of their colourable powers as arbitrary, illegal and capricious and violative of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and consequently direct the respondents herein not to interfere with the civil disputes between the petitioners herein and 5th respondent herein.

Counsel for the Petitioners: MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondent No.1: MR.A.M.QURESHI (SC FOR AP WAKF BOARD)

Counsel for the Respondent No.5: MR. A.TIRUPATHI GOWD

Counsel for the Respondent Nos.2 to 4:NONE APPEARED.

The Court at the stage of admission made the following :

O R D E R :

Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the first respondent and also the learned counsel appearing for the fifth respondent and with their consent the writ petition is disposed of at the stage of admission.

2. In this writ petition, the petitioners contend that despite their having submitted a representation dated 13.06.2005 to the first respondent bringing to his notice that as per the registered lease deed dated 30.12.1971 and order dated 26.07.1972 of this Court, the petitioners are in peaceful possession and enjoyment of the land in an extent of Ac.70.46 cents in R.S.No.852/1 of Nunna Village, Vijayawada Rural Mandal, Krishna District, the first respondent has not passed any orders. The petitioners sought directions to the first respondent to instruct the district officials and revenue officials to restrain themselves from interfering with the petitioners' peaceful possession and enjoyment of the land, with police help.

3 . *Sri Sai Gangadhar Chamarty*, learned counsel appearing for the petitioners contends that the representation of the petitioners is pending before the first respondent with regard to interference of the officials of the Wakf Board and it is just and proper that their representation dated 13.06.2005 be considered and

appropriate orders passed thereon.

4. The writ petition is disposed of with a direction to the first respondent to consider the representation dated 13.06.2005 submitted by the petitioners and to pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this Order.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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RAMESH RANGANATHAN, J.

Dated: 21st June, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The C.E.O., A.P. Wakf Board, Haj Buildings, Nampally,

Opp: Public Gardens, Hyderabad.
2. The Commissioner of Police, Vijayawada.

3. The Mandal Revenue Officer, Nunna,

Vijayawada Rural Mandal, Krishna District.
4. The Station House Officer, Nunna Police Station, Nunna,

Vijayawada Rural Mandal, Krishna District.
5. 2 CD copies

*Form-NIC-OGS/WP{**RLD**}*